

**Customer Proprietary Network Information (CPNI)**  
**Conifer Communications**  
**2017**

**Key Definition of CPNI:**

Account Information Call Detail and other non-public, personally identifiable information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications services subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier. Examples: Sensitive personal information; phone numbers called; time, date and duration of calls; how much a customer spends monthly; type of network a consumer subscribes to; calling patterns; optional services used; frequently called states, numbers, etc.; and for business customers it could include line size.

**I. CPNI Shared Among Affiliated Companies:**

The company procedures document often refers to “Conifer.” Where the context requires, “Conifer” consists of the Primary Company and its Affiliated Companies which are listed below.

**a. Primary Company:** Conifer Communications, Inc.

**b. Affiliated Company:** xCastLabs, Inc.

**II. CPNI Shared Among Affiliated Companies**

Conifer and its affiliated Company may share CPNI between each other in order to better market communications-related services to existing customers. This will be done in accordance with the CPNI Rules and all questions regarding application of these rules should go to the CPNI Compliance Officer. Employees will only access Conifer or an Affiliated Company's CPNI when working for that specific company.

**III. General Statement of Corporate Policy**

It is the policy of Conifer to adhere to the legal requirements set forth in 47 U.S.C. §222 of the Communications Act and the FCC Rules set forth in 47 C.F.R. §64.2001 through 64.2011 (the “CPNI Rules”). Each employee of Conifer who has access to CPNI will be aware of the rules and safeguards in place. If any circumstances arise where an employee of Conifer is unsure of how to apply the rules, they should bring the issue to the CPNI Compliance Officer. Where a gray area exists, Conifer will **always err** on the side of caution in order to safeguard CPNI.

Conifer will only grant access to CPNI to employees who need access and those employees should not use, disclose, or permit access to CPNI except as permitted in Conifer procedures. The following pages of this manual state in more detail how Conifer plans to adhere with the CPNI Rules. Each employee is expected to read and comprehend the manual in its entirety. If clarification needs to be made on any section of the manual, the employee should bring it up with the CPNI Compliance Officer.

#### **IV. Protection of Carrier Information**

Conifer will only use proprietary information received from another carrier for its intended purpose and as permitted or required by applicable law. For example, Conifer will never use information from another carrier for its own marketing when it was intended for provisioning telecommunications services.

#### **V. Acceptable Uses of CPNI**

The FCC has allowed companies to treat call detail and non-call detail CPNI differently; however, it will be Conifer's policy to apply call-detail safeguards to all forms of CPNI *except as explicitly stated otherwise in this section*.

Employees may use, disclose, or permit access to CPNI in the following situations.

##### **A. General Uses of CPNI Without Prior Customer Approval**

Conifer will comply with legitimate requests made by law enforcement for CPNI.

Employees who receive these requests should immediately notify the CPNI Compliance Officer. It is the CPNI Compliance Officer's responsibility to seek legal counsel (if needed) and respond to the request.

Conifer may use, disclose, or permit access to CPNI directly or indirectly through its agents to -

- i. Initiate, render, bill, and collect for telecommunications services.
- ii. Protect the rights or property of the carrier, or to protect the users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.
- iii. Provision inside wiring installation, maintenance, and repair services.
- iv. Conduct research on the health effects of CMRS.
- v. Provide call location information concerning the user of a commercial mobile service -
- vi. To a public safety answering point, emergency medical service provider or
- vii. emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user's call for emergency services.
- viii. To inform the user's legal guardian or members of the user's immediate family of the user's location in an emergency situation that involves the risk of death or serious physical harm.
- ix. To providers of information or database management services solely for purposes of assisting in the delivery of emergency services in response to an emergency.
- x. Any questions that arise with one of the points above should be brought to the CPNI Compliance Officer.

##### **B. Customer Requests for CPNI**

When an employee receives a request from the customer for their CPNI, the employee should determine how the request was made (phone, email, in person) and then follow the proper procedures detailed below in order to complete the customer's request in compliance with the CPNI Rules. If the employee has any questions about how to handle a request for CPNI, they should bring that question to the CPNI Compliance Officer.

**i. Customer Initiated Telephone Requests for CPNI**

When a customer makes a request or has a question over the phone regarding CPNI, Conifer will only provide the information through one of the two methods listed below. It will be up to the customer which option they would like Conifer to use.

Conifer may send the information requested to the customer's "email address of record." The "email address of record" is a pre-established electronic address of record which has been associated with the customer's account for at least thirty (30) days.

Conifer may call the customer back at their "telephone number of record." The "telephone number of record" is the telephone number associated with the customer's underlying service and **not** an alternative number designated as a customer's "contact information."

**ii. In Person Requests for CPNI**

When a customer makes a request for CPNI at Conifer's office, Conifer will require a proof of identity, such as a government-issued photo ID. If the customer is not able to provide proof of identity, then they have the option to request the information be sent to their "email address of record":

**iii. Written Requests for CPNI**

When the customer submits a valid written request for disclosure of their CPNI, Conifer will provide the CPNI to the person designated on the request form. Customers should be encouraged to make all written requests via the "CPNI Request Form" found in the CPNI Manual. An employee should honor a written request in any other form if approved by the CPNI Compliance Officer.

If the customer or authorized user on the account is requesting information for their own use, Conifer will either send the information to their mailing or electronic address of record or provide the information in person after a valid ID is presented. If the customer or authorized user on the account wants Conifer to disclose their CPNI to a designated person, we will first verify the request with a phone call to the telephone number of record, send a verification letter to the customer's mailing or electronic address of record, or the customer may present a valid ID at our retail location. If the request is confirmed, we will provide the CPNI to the designated person.

**iv. Business Customer Exceptions**

None- All Customers will be authenticated in accordance to CPNI policy.

**VI. Customer Notification of Account Changes and Breaches**

Conifer will notify customers of all applicable account changes and breaches to their CPNI as detailed below. Any questions regarding these two issues should be brought to the CPNI Compliance Officer.

### **C. Account Changes**

Conifer will notify an existing customer immediately. (Mary Pries) if address of record is created or changed. Conifer will not notify a customer of these changes when he/she initiates service. All notices will only inform the customer that a change was made and will not include any specific information regarding the change such as the new address. Conifer may notify the customer of the change in any one of the following ways:

- i. Conifer may send a letter to the customer's address of record. Conifer may send a letter to the customer's electronic address of record. Conifer will only send this information to the electronic address of record if the customer has established this address and it has been on file for at least thirty (30) days, and the customer has given express, verifiable approval to send notices via email.

### **D. Customer CPNI Breaches**

Conifer will take all preventive measures in order to protect customers' CPNI; however, if Conifer can reasonably determine that a breach of a customer's CPNI has occurred, Conifer will alert law enforcement by sending electronic notification through the designated central reporting facility – <http://www.fcc.gov/eb/CPNI>. Conifer will adhere to the following timetable set by the FCC when reporting these breaches.

Conifer will report breaches to the central reporting facility within seven (7) business days of reasonably determining a breach has occurred.

Conifer will notify the customer that a breach to their CPNI has occurred no earlier than seven (7) full business days after notifying law enforcement.

Law enforcement may request that Conifer wait longer than seven (7) full business days if they feel that customer notification would impede the investigation.

Conifer may, if it feels necessary, **request** to notify the customer earlier than seven (7) full business days after notifying law enforcement. The relevant investigating authority must grant this request before Conifer may notify the customer.

Employees should immediately notify the CPNI Compliance Officer if they have any reason to believe a breach has occurred. The CPNI Compliance Officer should seek legal counsel in the event of a breach.

## **VII. Recordkeeping**

Conifer recognizes that the FCC has placed the burden of proof on Conifer in all CPNI discrepancies. Conifer also recognizes that there are specific CPNI rules in place regarding minimum retention periods for various documents such as Opt-Out agreements, marketing campaigns and customer complaints. Conifer will maintain a list of documents and their retention periods, which mirror FCC rules and will retain documents in accordance to that list. All records will be stored in a manner that complies with these rules. Any questions regarding this section should be brought to the CPNI Compliance Officer.

## **VIII. Employee Training and Discipline**

The FCC requires that every company train their personnel on CPNI and also create an express disciplinary process for employees who fail to adhere to the CPNI Rules.

### **E. Employee Training**

All employees will be trained as to when they are and are not authorized to use CPNI. The amount of training an employee receives may depend on their access level and use of CPNI on a daily basis. All training questions should be brought to the CPNI Compliance Officer.

- i. Employees will be required to read Conifer's CPNI Procedures document.
- ii. Conifer will have CPNI updates at least once a year or when new rules become proposed or effective in order to keep affected employees up-to-date.

### **F. Employee Discipline**

Conifer will discipline the employee when he/she fails to adhere to Conifer's CPNI procedures and the measure of discipline taken will depend on the level of CPNI misuse. Employee discipline measures will include any reasonable discipline actions, in accordance to normal Company policy, up to and including employee termination.

## **IX. Security of CPNI Data**

**G.** Conifer will take reasonable measures to discover and protect against activity that is indicative of pre-texting, (the practice of pretending to be a particular customer or authorized person to obtain access to that customer's call detail or other private communications records) and in any instance where an employee feels that a CPNI file may have been misused or a breach may have occurred, they should immediately notify the CPNI Compliance Officer.

**H.** Conifer recognizes that the security of their files containing CPNI is of the utmost importance. Employees who have access to CPNI whether on the computer or through paper files are to practice extreme caution when accessing and using that information. Conifer will protect CPNI data in the following ways.

#### **i. Electronic Files**

1. Files and electronic databases will not be stored or used on any public network.
2. Files and electronic databases will always be protected by a password.
3. Only employees who need access to the electronic files and databases will be granted access to that information.

#### **ii. Paper Files**

1. All paper files containing CPNI will be kept in a locked storage device or facility.
2. Only employees who need access to the paper files will be granted access to that information.

**X. CPNI Officer**


- a. Sonja Harris is the CPNI Compliance Administrator for Conifer.
  - i. Contact information: [Sonja@conifercom.net](mailto:Sonja@conifercom.net)
- b. Compliance Administrator Statement

Conifer is a telecommunications carrier subject to compliance with certain federal statutes and regulations, including requirements and regulations governing the Company's use and disclosure of customer proprietary network information ("CPNI") pursuant to the Communications Act of 1996 and the Federal Communications Commission ("FCC") rules at 47 C.F.R. §§ 64.2001 – 64.2011 (collectively, the "CPNI Regulations").

Subject to the control and oversight of the Board of Directors, the authority and responsibilities of the Compliance Officer include the approval, implementation and oversight of Conifer's CPNI compliance policies and procedures and such other duties as from time to time may be assigned to him or her by the Board of Directors. Without limiting the preceding, the Compliance Officer is hereby authorized, as an agent of Conifer, to sign and file with the FCC an annual CPNI compliance certification as required by 47 C.F.R. Section 64.2009(e).

Conifer's Compliance Officer, as an authorized agent of Conifer, is responsible for approving, implementing and overseeing Conifer's compliance with the operating policies and procedures set forth in this manual. These responsibilities include but are not limited to: employee training, marketing procedures, managing customer CPNI disclosure, and overseeing CPNI recordkeeping. Any and all employee questions regarding CPNI should be directed to the Compliance Officer.

The undersigned is aware that CPNI compliance policies and procedures are required by law and have very serious repercussions for Conifer, its customers and the public in general. The undersigned accepts appointment as the Company's Compliance Officer as of the Effective Date set forth below.

  
Sonja Harris  
2/23/18

## **XI. Forms and Documents for CPNI**

### **a. CPNI Request**

- Date:
- Customer ID:
- Name:
- Address of Record:
- Telephone Number of Record:
- How did the customer initiate the request for Call Detail?
  - Phone:
  - Email:
- Time Period(s) of Records Requested:
- How did the customer want to receive these records?
  - Email:
  - Customer Pick-Up:
- How was the request verified?
  - Email Address of Record:
  - Called the Telephone Number of Record:
  - Authorized Customer presented a valid ID:
- Employee Signature Date

### **b. Email for VoIP Customer Change of Information Notification**

Hi \*|ACCOUNT\_NAME|\*,

Conifer Communications has received a request to make the following change(s) to your telephone account. If you did not authorize the change(s) to your telephone account, you **MUST** notify us immediately. If you do not contact us, the change(s) will become effective thirty (30) days from the date on this letter.

Change(s) Requested:

- Mailing Address Changed
- Email Address Changed
- Online Account or Password Change

If you did NOT request the change(s) above, please call us at 866-378-8393

Thank You,

Conifer Communications

### **c. List of Recordkeeping Items – Timeframes are all MINIMUMS**

- Notice to Customers– 1 Year
- Opt-Out- 1 Year:
  - Keep initial Opt-Out letter – Indefinitely
  - Most recent 2-year reminder – Update every two years
- Opt-In– 1 Year:
  - Keep initial Opt-In letter – Indefinitely
  - Keep responses you receive from customers – Indefinitely
- One-Time Use– 1 Year:
  - Document the date of when one-time use was granted
- System to determine Customer’s CPNI status – Keep current
- Maintain your own and affiliates marketing campaigns– 1 Year
  - Marketing Campaign Specifics:
    - Description of Campaign
    - Describe the specific CPNI that was used
    - List what products/services were offered
  - All instances where CPNI was disclosed or provided to 3<sup>rd</sup> parties
- Supervisory review process – 1 Year
  - Supervisor must approve and review any proposed out-bound marketing request
    - Specifically, sales personnel must obtain approval of any proposed outbound marketing request for customer approval.
- Customer Complaints regarding unauthorized release of CPNI– 1 Year
- Actions taken against data brokers– 1 Year
- Maintain a record of any breaches discovered and notifications to law enforcement and customers– 2 Years
  - Record must include:
    - Dates of discovery
      - Dates of notifications
      - Detailed description of CPNI that was subject to the breach
      - Circumstances of the breach
- Training – 2 years
- Compliance Certificate & Accompanying Certificate – Lifetime

### **d. Notice of CPNI Breaches**

- Date that the breach was discovered:
- Date that Conifer notified law enforcement through the central reporting facility:
- Date that Conifer notified our customer of the breach:
- Detailed description of the CPNI that was subject to the breach:
- Description of the circumstances of the breach or how the breach occurred:
- Attached is documentation of the breach (such as notifications to law enforcement and customers.)
- CPNI Compliance Administrator / Date Officer’s Signature